

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Village of Burnham, an Illinois
municipal corporation,

Petitioner,

v.

Indiana Harbor Belt Railroad Company, CSX
Transportation, Inc., Norfolk Southern Railway
Company, Chicago South Shore & South Bend
Railroad, State of Illinois, Department of
Transportation, Division of Highways, and
Northern Indiana Commuter Transportation
District,

Respondents.

Docket No. T14-0067

VILLAGE OF BURNHAM'S WITNESS DISCLOSURES

NOW COMES the Petitioner, the Village of Burnham ("Village"), pursuant to 83 Ill. Adm. Code § 200.360 and Rule 213 of the Illinois Supreme Court Rules on Civil Proceedings in the Trial Court, which discloses the following as its witnesses at any hearing in this matter:

GENERAL DISCLOSURES AND ANSWERS APPLICABLE TO ALL RESPONSES

The Village reserves the right to amend, modify, or supplement the witness disclosures herein. The Village incorporates the Respondents' witness disclosures, whether made before or after the Village's witness disclosures, as though set forth herein.

1. The Village may call the following Illinois Supreme Court Rule 213(f)(1) witnesses to testify at the hearing in this matter.

ANSWER:

A. **Ders Anderson**, Greenways Director
Openlands
25 E. Washington Street # 1650, Chicago, IL 60602
Contact through the undersigned attorney

Mr. Anderson is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

His work with Openlands, the Village, the Grand Illinois Trail, the Respondents' operations in the Village, the Burnham Gap, the need to close the Burnham Gap, efforts to close the Burnham Gap, the pleadings filed in this docket, the plans and improvements proposed by the Village in this docket, his correspondence and communications with the Respondents and ComEd and the Illinois Department of Natural Resources and other entities involved in closing the Burnham Gap, the funding to construct the improvements proposed by the Village in this docket, the alternatives proposed by the Northern Indiana Commuter Transportation District, and the need for the improvements proposed by the Village in this docket.

B. David Landeweer, P.E.
TERRA Engineering, Ltd.
225 W. Ohio Street # 400, Chicago, IL 60654

Mr. Landeweer is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

His work on the Burnham Gap, the need to close the Burnham Gap, efforts to close the Burnham Gap, the plans and improvements proposed by the Village in this docket, the safety benefits of building the improvements proposed by the Village in this docket, certain of the Respondent's engineering comments on the improvements proposed by the Village, and the alternatives proposed by the Northern Indiana Commuter Transportation District.

C. Christopher Gasiorek, P.E.
AECOM
303 East Wacker Drive, Suite 1400
Chicago, IL 60601
Contact through the undersigned attorney

Mr. Gasiorek is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

His work on the Burnham Gap, efforts to close the Burnham Gap, the plans and improvements proposed by the Village in this docket, the costs of building the improvements proposed by the Village in this docket, the safety benefits of building the improvements proposed by the Village in this docket, certain of the Respondent's engineering comments on the improvements proposed by the Village, and the alternatives proposed by the Northern Indiana Commuter Transportation District.

D. James LeVan, P.E., Project Manager
AECOM
303 East Wacker Drive, Suite 1400
Chicago, IL 60601
Contact through the undersigned attorney

Mr. LeVan is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

His work on the Burnham Gap, efforts to close the Burnham Gap, the plans and improvements proposed by the Village in this docket, the safety benefits of building the improvements proposed by the Village in this docket, certain of the Respondent's engineering comments on the improvements proposed by the Village, and the alternatives proposed by the Northern Indiana Commuter Transportation District

E. George Bellovics, Grand Illinois Trail Coordinator, Acting Region 1 Landscape Architect
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702

Mr. Bellovics is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

His work with the Illinois Department of Natural Resources, the Village, the Grand Illinois Trail, the Burnham Gap, the need to close the Burnham Gap, efforts to close the Burnham Gap, the plans and improvements proposed by the Village in this docket, his correspondence and communications with the Village and Respondents and other entities involved in closing the Burnham Gap, the funding to construct the improvements proposed by the Village in this docket, and the alternatives proposed by the Northern Indiana Commuter Transportation District.

F. Robert E. Polk, Village of Burnham Mayor
Village of Burnham
14450 S. Manistee Avenue
Burnham, IL 60633
Contact through the undersigned attorney

Mr. Polk is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

The Village, the Respondents' operations in the Village, the Burnham Gap, the need to close the Burnham Gap, efforts to close the Burnham Gap, the pleadings filed in this docket, the impact on the Village of building the improvements proposed by the Village in this docket, and the plans and improvements proposed by the Village in this docket.

G. John J. Cap, Jr., Village of Burnham Trustee
Village of Burnham
14450 S. Manistee Avenue
Burnham, IL 60633
Contact through the undersigned attorney

Mr. Cap is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

The Village, the Respondents' operations in the Village, the Burnham Gap, the need to close the Burnham Gap, efforts to close the Burnham Gap, the pleadings filed in this docket, the impact on the Village of building the improvements proposed by the Village in this docket, and the plans and improvements proposed by the Village in this docket.

H. Andrew Horberg, Village of Burnham Fire Chief
Village of Burnham
14450 S. Manistee Avenue
Burnham, IL 60633
Contact through the undersigned attorney

Mr. Horberg is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

The Village, the Respondents' operations in the Village, the Burnham Gap, the need to close the Burnham Gap, efforts to close the Burnham Gap, the pleadings filed in this docket, the impact on the Village of building the improvements proposed by the Village in this docket, and the plans and improvements proposed by the Village in this docket.

I. Dwayne Liddell, Sr., Village of Burnham Public Works Commissioner
Village of Burnham
14450 S. Manistee Avenue
Burnham, IL 60633
Contact through the undersigned attorney

Mr. Liddell is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

The Village, the Respondents' operations in the Village, the Burnham Gap, the need to close the Burnham Gap, efforts to close the Burnham Gap, the pleadings filed in this docket, the impact on the Village of building the improvements proposed by the Village in this docket, and the plans and improvements proposed by the Village in this docket.

J. Lus E. Chavez, Village of Burnham Clerk
Village of Burnham
14450 S. Manistee Avenue
Burnham, IL 60633
Contact through the undersigned attorney

Ms. Chavez is expected to testify about the following subjects, and she is expected to testify consistent with any deposition she gives in this case:

The Village, the Respondents' operations in the Village, the Burnham Gap, the need to close the Burnham Gap, efforts to close the Burnham Gap, the pleadings filed in this docket, the impact on the Village of building the improvements proposed by the Village in this docket, and the plans and improvements proposed by the Village in this docket.

K. Brian Vercruysse, P.E.
Illinois Commerce Commission
160 N LaSalle Street
Chicago, IL 60601

Mr. Vercruysse is expected to testify about the following subjects, and he is expected to testify consistent with any deposition he gives in this case:

The history of the Respondents' crossings at issue in this docket, the Respondents' operations in the Village, the pleadings filed in this docket, the plans and improvements proposed by the Village in this docket, his correspondence and communications with the Respondents and Village and other entities involved in the improvements proposed this docket, the alternatives proposed by the Northern Indiana Commuter Transportation District, and the safety standards to be applied.

L. The Village reserves the right to call any and all of Respondents' Rule 213(f)(1) witnesses regarding any opinions or testimony given by those witnesses at their depositions or disclosed by Respondents' attorney, and the Village adopts those witnesses, testimony and opinions herein. The Village reserves the right to amend these witness disclosures from time to time.

2. The Village may call the following Illinois Supreme Court Rule 213(f)(2) witnesses to testify at the hearing in this matter.

ANSWER:

A. Brian Vercruysse, P.E.
Illinois Commerce Commission
160 N LaSalle Street
Chicago, IL 60601

Mr. Vercruysse is expected to testify about the following subjects and give the following opinions, and he is expected to testify consistent with any deposition he gives in this case:

The subjects and opinions set forth in the filings by Mr. Vercruysse in this docket on February 26, 2016 and March 7, 2016, all of which are incorporated as though set forth herein.

B. The Village reserves the right to call any and all of Respondents' Rule 213(f)(2) witnesses regarding any opinions or testimony given by those witnesses at their depositions or disclosed by Respondents' attorney, and the Village adopts those witnesses, testimony and opinions herein. The Village reserves the right to amend these witness disclosures from time to time.

3. The Village may call the following Illinois Supreme Court Rule 213(f)(3) witnesses to testify at the hearing on this matter.

ANSWER:

A. The Village reserves the right to call any and all of Respondents' Rule 213(f)(3) witnesses regarding any opinions or testimony given by those witnesses at their depositions or disclosed by Respondents' attorney, and the Village adopts those witnesses, testimony and opinions herein. The Village reserves the right to amend these witness disclosures from time to time.

Respectfully submitted,
VILLAGE OF BURNHAM

/s/Gregory T. Smith
One of Its Attorneys

Klein, Thorpe & Jenkins, Ltd.
Gregory T. Smith
20 N. Wacker Drive, Suite 1660
Chicago, Illinois 60606
(312) 984-6400
gtsmith@ktjlaw.com

Dated: April 28, 2016